

201-14313



Jessica Sandler <jessicas@peta.org> on 01/28/2003 03:55:29 PM

To: Karen Boswell/DC/USEPA/US@EPA, oppt.ncic@epamail.epa.gov, hpv.chemrtk@epamail.epa.gov, chem.rtk@epa

cc:

Subject: public comments on propanoic acid, etc.

The attached should have been posted as our comments on the propanoic acid, etc. test plan. These comments were originally sent on January 2, 2003. Thank you.

Jessica Sandler, MHS
Federal Agency Liaison
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January 2, 2003

Stephen Johnson, Assistant Administrator
Office of Prevention, Pesticides and Toxic Substances
U.S. Environmental Protection Agency
Washington, DC 20460

VIA FACSIMILE TO: 202-564-0575

URGENT - PPG TEST PLAN FOR PROPANOIC ACID

Dear Mr. Johnson:

A test plan has been posted on the HPV program website for which comments are due January 17. The entire test plan consists of a one page chart in which the company claims to have no information whatsoever on its chemical and proposes to conduct all of the SIDS tests, including all of the animal tests. In this public right-to-know program the company's name is listed as "confidential." We originally contacted your office regarding this test plan on November 21, 2002.

I had a conversation this morning with Dr. James Barter of PPG Industries, whose test plan this is. He informed me that this chemical, CAS No. 68227-46-3, appears on the 1990 IUR list as an HPV chemical and that his company has been using it internally since that time. As you know, it is inconceivable that a company, whose workers are exposed to a chemical, would have absolutely no information on that chemical, including its boiling point and vapor pressure. Dr. Barter told me that they did have a MSDS on this chemical for their workers but was not able this morning to provide me with any information from the MSDS.

This test plan violates all principles of the animal welfare agreement AND of the original HPV framework, in which sponsors agree to review and provide existing data when putting together their test plan. Although Dr. Barter told me this plan was "preliminary" and would be revised based on public comments received and "more details" given later on, clearly this is not the manner in which the HPV program is supposed to work. The company must provide the data it already has on the chemical and put together a thoughtful analysis of what further testing may be needed. As it now stands, we are unable to provide substantive comments as the most basic information, including which particular animal tests the company is proposing to use, is lacking.

I would greatly appreciate your letting us know what the EPA intends to do regarding this serious matter. We are of the opinion that the EPA must inform the company that such a "test plan" is unacceptable and ask the company to go back to the drawing board on it. I would hope that the EPA would, at the very least, agree with us on this particular matter.

Sincerely,

Jessica Sandler
Federal Agency Liaison

PETA

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